



**Planning & Building Department**  
3675 Mt. Diablo Boulevard, Suite 210  
Lafayette, CA 94549  
Tel. (925) 284-1976  
[www.lovelafayette.org](http://www.lovelafayette.org)

## **MINOR SUBDIVISION APPLICATION INSTRUCTIONS**

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### **GENERAL**

State Law authorizes local governmental agencies to regulate and control the design and improvement of subdivisions. A subdivision is defined as the division of any improved or unimproved land for the purpose of sale, lease, or financing. A subdivision includes the conversion of a structure to condominiums. The State Subdivision Map Act provides general regulations and procedures that local government must follow in the regulation of subdivisions. The City also has a Subdivision Ordinance which provides specific City guidelines and standards for the regulation and control of subdivisions. Lafayette has adopted by reference the Contra Costa County subdivision regulations. Subdivision regulations and review procedures vary between major subdivision (Tract), which encompass a division of property into five or more lots (requiring tentative map approval), and minor subdivisions of four or less lots (requiring parcel map approval). This guideline only covers the procedures for minor subdivisions requiring parcel map approval.

The Tentative Parcel Map review procedure is designed to ensure that such things as street alignments, grades and widths, drainage and sanitary facilities, location and size of easement and rights-of-way, fire roads, trees, lot sizes and configurations, traffic access, grading and numerous other features conform to City regulations and policies and are arranged in the best possible manner to serve the public.

The Tentative Parcel Map is evaluated for its consistency with the General Plan, zoning designation and the Hillside & Ridgeline Ordinance, Lot Split Policy<sup>1</sup>, and the compatibility of site plan and public improvements with surrounding development. Special attention is focused on the preservation of natural topographic features of value and the integration of the development to existing terrain.

### **PROCEDURES**

#### Step 1: Project Consideration

Early in the consideration of a potential subdivision, the applicant should carefully review the City's applicable General Plan programs and zoning regulations in the location or area affected. It is important that the proposed subdivision be consistent with both the zoning regulations and the General Plan, or the application cannot be approved. In addition, local utilities and other special agencies should be contacted regarding requirements for future development in the area.

#### Step 2: Pre-application Review (Optional)

Prior to applying for a Minor Subdivision, it is recommended that the applicant discuss the preliminary proposal with a member of Planning Staff (by appointment) prior to submitting a formal application. This will allow the

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<sup>1</sup> See separate handout titled "[Lot Split Policy](#)"

Planning and perhaps Engineering Staff to review the plans and to provide input to the applicant on possible environmental concerns, General Plan, zoning and engineering requirements, traffic, siting, and design criteria. Planning staff cannot make a determination as to whether a property can be subdivided; however, this early review and input by staff could save the applicant possible delay and expensive plan revisions. Later in the process, staff can also review the history of other development proposals on the site and review the required data and procedures to be followed through the process.

### Step 3: Filing the Application

The applicant should carefully complete the application forms and be sure that all submittal requirements are included. The application will be assigned to a staff planner who will check the application for completeness and provide an invoice for the applicable fee<sup>2</sup>. Once staff has reviewed the plans (within 30 days), the applicant will be notified whether the application is complete or incomplete. If the application is incomplete, the applicant will be notified of any necessary alterations to the plans or additional information and submittals required. Once an application is deemed complete, it will be reviewed for compliance with the California Environmental Quality Act (CEQA) before being scheduled for a hearing.

### Step 4: Environmental Review

The staff planner will notify the applicant (within 30 days after the application is deemed complete) whether the proposed project is exempt from CEQA or requires an additional level of environmental review such as a negative declaration, mitigated negative declaration, or environmental impact report (EIR). Should an EIR be required, requests for supplementary information, further fees, and additional processing time are to be expected.

### Step 5: Public Notification and Project Determination

The Planning Commission ("PC") is the hearing authority for all subdivision applications and shall hold a public hearing and act on the application. Prior to the hearing, all affected agencies, commissions, and other City Departments will be sent a copy of the map for their review and comment. Following the receipt of any comments from other agencies, Planning Staff will study the application by reviewing the relationship of the request to the City's General Plan and analyze the environmental, land use, traffic, site plan, design and other impacts or concerns of the proposed development. Project determination is based on information contained in the application, site visits, staff analyses and reports, conformance with applicable ordinances, regulations, development criteria, policies and findings, and all correspondence and testimony presented by the public. A written staff report will be prepared for the Planning Commission which will analyze the Tentative Parcel Map and include other governmental agencies' recommendations as well as staff recommendations.

**Public Notification and Hearing.** Prior to the public hearing, written notice of the hearing is mailed at least 10 days in advance to all property owners within 300 feet of the subject parcels. Notice of the hearing will also be posted in at least three locations in the project vicinity, and a legal notice will appear in the newspaper. Any interested parties may provide written and/or oral comment. The applicant or a representative should be present at the hearing to make a presentation and answer questions. Any interested party may submit oral or written testimony. After close of testimony, the hearing authority may approve the map as submitted, approve it with conditions, or deny it. There may be more than one hearing before a tentative map is acted on. Should an EIR be necessary, the Commission will determine the necessary scope of the EIR. The PC must review and take action on the Tentative Parcel Map within 50 days after the Environmental Review process has been completed. An extension may be granted with the consent of the applicant. If an EIR is required, the hearing will be continued to allow time for the drafting and public review of the EIR.

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<sup>2</sup> A schedule of Planning & Development fees is available at [www.lovelafayette.org](http://www.lovelafayette.org) > City Hall > City Departments > Planning & Building > [Fees](#)

## **TIME AND PLACE OF MEETINGS**

The Planning Commission normally meets on the **first** and **third** Mondays of each month, commencing at 7:00 p.m. The meetings for both the Planning Commission and the City Council are held at the Lafayette Library and Learning Center, 3491 Mt. Diablo Boulevard in the Community Hall. The City Council normally meets on the **second** and **fourth** Mondays at the same time and location.

A calendar of adopted meeting dates is available at [www.lovelafayette.org](http://www.lovelafayette.org).

## **APPEAL OF DETERMINATION**

The applicant or other aggrieved party may appeal the action of the decision-making authority within 14-calendar days following the determination to the next level of decision-making authority. The decision-making hierarchy is Zoning Administrator, Design Review Commission, Planning Commission, and City Council. The appeal must be in writing and explain the grounds for the appeal. The fee to file an appeal is 75 percent of the original application fee. If an appeal has been timely filed, a de novo public hearing before the appropriate Commission or the City Council will be scheduled. The applicant should be present and any interested person(s) may submit testimony. After close of testimony, the hearing authority for the appeal will make a decision on the appeal, or if necessary, continue the matter to a date certain for future action. Action taken by the City Council is final.

## **PROCESSING TIME**

The estimated time for the processing of a Tentative Parcel Map application will vary depending upon the complexity and magnitude of the proposal. After an application has been deemed complete, it usually takes five to six weeks for the first meeting before the hearing authority. The requirement for a negative declaration or environmental impact report could add six to twelve months to the processing time, respectively.

## **REQUIRED ACTIONS AND EXPIRATION**

The applicant (subdivider) must complete and have approved by the City Engineer and Planning Director the Final Parcel Map and related improvement plans within 24 months or the approved map expires. An extension of this time period up to 24 months may be granted upon approval of the Planning Commission, if the request for an extension is filed before the expiration of the Tentative Parcel Map.

# Minor Subdivision Application – Instructions

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## MINOR SUBDIVISION APPLICATION SUBMITTAL REQUIREMENTS

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The following is a list of minimum submittal requirements. Additional materials may be required at the discretion of the Planning staff or City Commissions. For all minor subdivision applications, submit one (1) electronic (PDF) copy of the application materials to [planner@lovelafayette.org](mailto:planner@lovelafayette.org) for initial review. Maps are to be prepared by a registered civil engineer or licensed land surveyor, accurately drawn to a convenient engineer's scale and dimensioned. Once Planning staff has reviewed the map (within 30 days), the applicant will be notified of any necessary corrections, any additional submittals required, and the number and size of maps required for the review process.

A signed copy of this checklist is required with each box checked affirming submittal of the required item(s). The application will not be accepted for processing unless all pertinent information listed in this checklist is provided. The reason for the absence of any required items must be acknowledged and substantiated in writing to the satisfaction of the Planning & Building Department Director or the application will not be accepted.

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### 1. APPLICATION MATERIALS

- Standard application form, completed and signed
- Response to findings
- Brief description of the scope of work, including 1) proposed use of the land, 2) provision for storm drainage, sewage disposal and public utilities, and 3) how the development conforms to the General Plan and any applicable specific plans
- Checklist completed and signed by the preparer with each box checked acknowledging submittal of the required item(s) and listing the corresponding sheet number(s)
- Agreement to Pay for City Services, completed and signed<sup>3</sup>
- Processing fee(s): credit card (Visa/MasterCard) or check (payable to City of Lafayette)

2. **PRELIMINARY TITLE REPORT:** One (1) electronic (PDF) copy of report not more than six (6) months old, listing all recorded easements and restrictions, and providing legal description of the property

3. **PRELIMINARY SOILS REPORT:** One (1) electronic (PDF) copy of report (which may include colored attachments and/or exhibits), prepared by a registered geotechnical engineer. Additional geotechnical and soils information will be required where initial reconnaissance indicates adverse conditions.

4. **ENVIRONMENTAL INFORMATION FORM, as determined by project planner:** Based on an Initial Study, your project may be subject to additional environmental review fees, set by the State and due at the time of project approval. Refer to the [Planning Fee Schedule](#) for current fees.

5. **OFF-SITE EASEMENTS:** To accomplish your subdivision, will you need any easements across the property of a third party? These might be easements for access, utilities or drainage. If so, you need to investigate securing these easements in advance of submitting your application. If you are unsuccessful in securing

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<sup>3</sup> The ACS is for services and fees that are in addition to the application fee(s). The signee agrees to pay for services of consultants retained by the City in connection with the development application at the hourly rate charged by each consultant. These services include but are not limited to review of legal, landscape, engineering, technical reports, site analysis, and environmental services.

the necessary easements(s), you will need to provide evidence of a good faith effort to acquire the easement. At a minimum this evidence should consist of the following:

- a. Written description of the easement in question
- b. The property owner(s) involved
- c. A record of the contacts made in attempting to secure the easement.

6. **BIOTIC RESOURCES ANALYSIS**<sup>4</sup>: One (1) electronic (PDF) copy of report, including:
- a. Type and location of threatened and endangered plant and animal species.
  - b. Riparian vegetation on and within 100' of subject property.
  - c. Oak woodland and other plant communities providing habitat.
  - d. Location of watercourses, springs, drainage swales, wetlands, wildlife corridors, other natural features that may provide habitat or be subject to Department of Fish and Wildlife or Army Core of Engineers jurisdiction.
  - e. Area and location of undeveloped land on the subject property required to protect and enhance the continued viability of significant biotic resources, where applicable.
  - f. Mitigation measures for impacts on significant biotic resources.

7. **TENTATIVE MAP**: One (1) electronic (PDF) copy of tentative map not to exceed 30" x 42" and one (1) electronic reduction of the Tentative Parcel Map containing the following information:

The Title, which shall contain the type of subdivision.

Names and addresses for:

- a. Legal owner of property
- b. Subdivider, and
- c. Person or persons who prepared the map (including registration number)

A topographical contour map showing accurately (within one foot) the existing terrain within the subdivision, and, a minimum of 100' beyond the perimeter of the project boundary, including existing drainage channels, roads, culverts, overhead and underground utility lines which affect the design of the subdivision, wells and springs, major structures, irrigation ditches, utility poles, and other improvements in their correct location. Topography and other site details under trees or heavy vegetation shall be field verified if located within 100 ft. of any proposed house location, driveway or grading. Elevations shall be in accord with the U.S. Geological Survey (1929 Sea Level Datum). The map shall be drawn to an engineer's scale large enough to show all information clearly, but not smaller than 30' = 1". Contour interval shall not be greater than 2' feet if the ground slope is less than ten percent nor larger than 5' for ground slopes greater than ten percent; and at such intervals that the contour lines will not be spread more than 150 feet (ground distance) apart.

The surveyor or civil engineer shall provide a certification on the map that he/she performed the field verifications and the information on the map represents field conditions as of a certain date.

Per the Hillside & Ridgeline Preservation Ordinance (Section 6-2006) a building site may not exceed 30% slope; therefore, the footprint of a schematic house located in the less than 30% slope area shall be shown.

The topography within the footprint and 100' outside the footprint and any driveway shall be field surveyed. The 100' may be reduced to 10' beyond an existing intervening property line.

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<sup>4</sup> Required if the site is environmentally sensitive, including but not limited to containing open slopes and hillsides, native plant communities, wildlife corridors, wetlands and waterways, habitat for protected species, etc.

- The outline of existing slides, slips, slump areas, and areas subject to inundation or ponding.
- The edges of pavement on both sides of existing paved roads, driveways, and the edges of existing traveled ways within the public rights-of-way and easements or within private common rights-of-way.
- Location of existing property lines and approximate boundaries of existing easements within the subdivision, with the names of the owners of record, of easements, exclusions, and the properties abutting the subdivision.
- The proposed lot and street layout with scaled dimensions and sizes of each lot. Engineering data must show the approximate finished grading of each lot, the preliminary design of all grading, the elevation of proposed building pads, the top and toe of cut and fill slopes to scale, and the identifying Parcel Letter of each lot.
- Preliminary grading for streets, house sites, driveways, lots and drainage.
- The location of all proposed easements for drainage and access.
- Street names, width of streets and easements, approximate grade, and radius of curves along property lines of each street.
- Typical geometric sections for streets showing pavement width, curbs, sidewalks, grading in marginal strips, slopes of cuts and fills, and other construction proposed or applicable.
- Areas to be used for public purposes.
- Location, approximate grade, direction of flow and type of facility of existing drainage channels and storm drains. If there are any creeks on the property, the map shall show the creek centerline, top of bank and creek setback line required by Lafayette Code Article 4, Section 6-1841 Creek Setback Requirements<sup>5</sup>.
- A vicinity map showing roads, adjoining subdivisions, towns, creeks, railroad, and other data sufficient to locate the proposed subdivision and show its relation to community development.
- North arrow and scales for maps and contour interval. A temporary benchmark is required on-site or nearby and it shall be identified on the map and staked.
- Boundary lines of existing land use zones shall be delineated.
- Type of trees, field verified location of all trees over 4" in diameter as measured 4 ft. above grade, and spot elevation at the base and driplines for trees within 100' of house footprint, driveway or any grading or within 20' of any street right-of-way. Tree canopies shall be filled with a medium gray tone on the tentative map. Any trees proposed to be removed shall be identified with a prominent "X".
- A conceptual drainage plan<sup>6</sup> prepared by a registered civil engineer, showing the proposed alignment and layout for the collection of drainage originating within the subdivision, as well as drainage entering the subdivision, and the means of conveying drainage downstream, drainage easements or erosion control shall be indicated on the plan.
- Small scale drawing showing the watershed drainage basin in which the subdivision is located including approximate acreage.

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<sup>5</sup> See separate handout entitled "[Creek Setback Determination Guide](#)"

<sup>6</sup> See separate handout entitled "[Drainage Plan Guidelines](#)"

**FORM AND CONTENT - DATA TO ACCOMPANY TENTATIVE MAP**

The Tentative Parcel Map shall be accompanied by one (1) electronic (PDF) copy of the following data:

- 1. A written statement of general information containing the following information.
  - a. Existing use or uses of property.
  - b. Comment on each of the applicable items listed in the Lot Split Policy.
  - c. A description of the proposed subdivision, including the number of lots, their average and minimum size, and nature of development.
  - d. A preliminary title report, prepared within three months prior to filing the Tentative Map
  - e. Source of water supply.
  - f. Calculations for each lot size as required by Chapter 6-20 Hillside Development, including a map indicating any excluded area, if the project site is located in the Hillside Overlay District.
  - g. The method of sewage disposal proposed.
  - h. Other improvements proposed
  - i. Certification in writing from all utilities that the proposed subdivision can be adequately served.
  
- 2. When a Tentative Map is filed on an area which is part of a larger single ownership which may be subdivided in the future, the Planning Department may require a map drawn at 1"-30' or larger showing the proposed future development, including its street location and design, topography, grading, house locations, and the following information:
  - Context map (minimum 1" = 50') showing all parcels immediately adjacent to the site, property ownership, the footprints of all structures, significant landscaping, and any significant topographic or man-made landforms or features on said parcels. Label and note the distance to existing structures on adjacent lots. Indicate the approximate finished floor elevations of these adjacent residences.
  - Existing natural land features and topography including each designated ridgeline. The topography shall be shown at a maximum of two foot contour intervals in the area to be developed.
  - All property lines and dimensions and square footage of property.
  - All public and private roads, rights-of-way, and easements, within and to the parcel, fully dimensioned. Indicate whether public or private.
  - Existing street improvements (curb, gutter, sidewalk, extent of paving).
  - Location and dimensions of all existing structures with dimensions to all property lines.
  - Proposed building site(s) and footprint(s) of all proposed structures with dimensions to all property lines. All changes or additions to existing structures shall be hatched, shaded, or otherwise highlighted. A conceptual siting, massing and design study is required for each building site less than 15, 000 square feet.
  - Circulation plans for each vehicular and pedestrian way.
  - Location, dimensions and quantity of existing and proposed covered and uncovered parking facilities and driveways.

- All existing and proposed impervious surfaces, including but not limited to sidewalks, roofs, patios, stairs, pool decks, and driveways (shaded or hatched appropriately). Call out square footage of impervious surfaces on the site plan.
- Location and dimensions of existing and proposed fences and retaining walls with top-of-wall (TW) and bottom of wall (BW) spot elevations.
- Surveyed locations of each tree having a trunk of 4 or more inches in diameter at 4'6" above grade and within 100 feet of all construction and grading. The plan shall denote tree species, accurate drip lines, base of trunk elevations, and indicate with an "X" any trees proposed for removal.
- Proposed or altered landscaping. New or replacement vegetation in a restricted ridgeline area shall be native to the surrounding area.
- General location of each hiking, riding and bicycle trail and recreational facility.
- Areas of natural open space that will remain upon completion of development.
- Location of any Class I, Class II, or Class III ridgelines within the project boundaries or within 100 feet beyond the project boundaries.
- Ridgeline setback areas (measured in plan view from the centerline of the ridge). The ridgeline setback for Class I ridges is 400 feet and 250 feet for Class II ridges.

3. You must prepare a Stormwater Control Plan if your project meets either of the following:
- a. Single-family residence creating or replacing > 10,000 sq. ft. of impervious surface.
  - b. All other projects creating or replacing between 5,000 sq. ft. and one acre of impermeable surface.

*Additional information may be required by the Planning and Building Dept. Director or imposed by the city's zoning, subdivision, building and grading regulations, and environmental review procedures.*

SIGNATURE OF PREPARER: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINT FULL NAME: \_\_\_\_\_

I acknowledge that I have read the instructions on applying for a minor subdivision and have submitted at least the minimum submittal requirements to the Planning Department Staff. I agree to submit more materials regarding my application if requested to do so.

# Minor Subdivision – Submittal Requirements

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## MINOR SUBDIVISION APPLICATION RESPONSE TO FINDINGS

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**Project Description** - On a separate sheet, please briefly describe the scope of the project you are proposing. Include the reasons for the request and the reasons why you believe the minor subdivision can be approved.

**Response to Findings** - Repeat and respond to each of the findings listed below which must be made for the hearing body to approve a minor subdivision. Your responses should address each design element that you are requesting. These findings can be found on the City of Lafayette web site to facilitate copy/paste into word processing software.

**§ 6-216 Findings for approval of subdivision.** The applicant must prove, and the Planning Commission must find, all the following or the application will be denied:

- (A) The proposed subdivision will not be detrimental to the health, safety, and general welfare of the City.
  - (B) It will not adversely affect the orderly development of property within the City.
  - (C) It will not adversely affect the preservation of property values and the protection of the tax base within the City.
  - (D) It will be consistent with the General Plan and each element of it and will not adversely affect the policies and goals set forth in the General Plan.
  - (E) It will not create a nuisance or enforcement problems within the neighborhood.
  - (F) It will not encourage marginal development within the neighborhood.
  - (G) It is consistent with the purpose section of the zoning district in which it is located.
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**§ 6-3208 – Findings for approval of condominium conversion.** In addition to the findings listed above, the Planning Commission shall not approve an application for condominium conversion unless it finds that the proposed conversion:

- (A) Conforms to the requirements of this chapter; and
  - (B) Is consistent with the Lafayette general plan; and
  - (C) Will not displace a significant number of low-income and moderate-income rental units from the city's housing stock.
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The applicant assumes the burden of producing evidence that the above listed standards, as well as the criteria enumerated in the Lot Split Policy will be met, and that the intent of the zoning ordinance and the objectives of the General Plan will be satisfied. Failure to satisfy this burden will result in denial of the application. In addition, the applicant is responsible for responding to the findings required by the State Map Act, Section 66474. (See next page.)

Pursuant to Section §66474 of the State Map Act, the hearing body must make the following findings to approve a tentative map or parcel map. Repeat and respond to each finding listed below:

- (A) That the proposed map is consistent with applicable general and specific plans as specified in Section 65451.
- (B) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
- (C) That the site is physically suitable for the type of development.
- (D) That the site is physically suitable for the proposed density of development.
- (E) That the design of the subdivision and/or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (F) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.
- (G) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

**Additional Comments** - Provide any additional comments on a separate sheet



**STANDARD APPLICATION FORM**

**PROJECT INFORMATION**

Project Address / Location		Assessor's Parcel Number (APN)	Zoning District	Flood Zone
General Plan Designation	Parcel Size (sq.ft.)	Grading: Cut (cu.yds.)	Grading: Fill (cu.yds.)	
Existing Gross Floor Area (sq.ft.)	Existing Building Footprint (sq.ft.)	Existing Impervious Surface (sq.ft.)	Existing # Parking Spaces (sq.ft.)	
Proposed Gross Floor Area (sq.ft.)	Proposed Building Footprint (sq.ft.)	Proposed Impervious Surface (sq.ft.)	Proposed # Parking Spaces (sq.ft.)	

Existing Land Use  
 Single-Family Residential  Multi-Family Residential  Commercial  Office  Vacant  Other (specify) \_\_\_\_\_

Proposed Land Use  
 Single-Family Residential  Multi-Family Residential  Commercial  Office  Vacant  Other (specify) \_\_\_\_\_

**APPLICANT INFORMATION**

**OWNER INFORMATION**

Applicant Name:			Owner Name:		
Applicant Address			Owner Address		
City	State	Zip	City	State	Zip
Phone ( ) -	Cell ( ) -		Phone ( ) -	Cell ( ) -	
Email (for official use only):			Email (for official use only):		
Party Responsible for Fee Payment: <input type="checkbox"/> Owner <input type="checkbox"/> Applicant			Payment Method: <input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card* * Online payment includes a 2.9% convenience fee		

**CHECK ALL APPLICABLE REQUESTS**

- |                                                                   |                                                               |                                                                    |
|-------------------------------------------------------------------|---------------------------------------------------------------|--------------------------------------------------------------------|
| <input type="checkbox"/> 15-Degree Declination Exception          | <input type="checkbox"/> Land Use Permit                      | <input type="checkbox"/> Sign Permit                               |
| <input type="checkbox"/> Accessory Dwelling Unit Permit (Class C) | <input type="checkbox"/> Lot Line Revision                    | <input type="checkbox"/> Study Session                             |
| <input type="checkbox"/> Address Assignment / Change              | <input type="checkbox"/> Major Subdivision / Tract (≥ 5 lots) | <input type="checkbox"/> Temporary Land Use Permit                 |
| <input type="checkbox"/> Appeal (App. # _____)                    | <input type="checkbox"/> Minor Subdivision (4 lots or fewer)  | <input type="checkbox"/> Tree Removal Permit                       |
| <input type="checkbox"/> Certificate of Compliance                | <input type="checkbox"/> Preapproved ADU (vendor only)        | <input type="checkbox"/> Variance / Exception                      |
| <input type="checkbox"/> Change of Conditions                     | <input type="checkbox"/> Public Art Permit                    | <input type="checkbox"/> Wireless Communications Facilities Permit |
| <input type="checkbox"/> Design Review                            | <input type="checkbox"/> Reasonable Accommodation             | <input type="checkbox"/> Zoning Text Amendment                     |
| <input type="checkbox"/> Family Day Care                          | <input type="checkbox"/> Reconsideration (App. # _____)       | <input type="checkbox"/> Other _____                               |
| <input type="checkbox"/> General Plan Amendment                   | <input type="checkbox"/> Re-Zone Property                     | <b>SB 9 Application</b>                                            |
| <input type="checkbox"/> Grading Permit (≥ 50 cu. yds.)           | <input type="checkbox"/> Ridgeline Setback Exception          | <input type="checkbox"/> SB 9 Housing Development                  |
| <input type="checkbox"/> Hillside Development Permit              | <input type="checkbox"/> Right-of-Way Abandonment             | <input type="checkbox"/> SB 9 Urban Lot Split                      |

**OWNER / AGENT STATEMENT**

**Property Owner Consent** – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application. I hereby grant permission to access the property to individuals involved in the processing of the subject application(s). I agree to defend, indemnify and hold harmless the City, its agents, officers, officials, and employees from all claims, demands, lawsuits, writs of mandamus, and other actions or proceedings (collectively "Actions") brought against the City or its departments, commissions, agents, officers, officials, or employees to challenge, attack seek to modify, set aside, void or annul any City decision made in connection with this application. In the event the City becomes aware of any such Actions, the City shall promptly notify me and shall cooperate fully in the defense. It is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and I shall reimburse City for any attorney's fees, costs and expenses, including any plaintiff's or other third party's attorneys' fees, costs and expenses, directly and necessarily incurred by the City in the course of the defense.

Print Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

# Standard Application Form

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**City of Lafayette  
Planning & Building Department**

**AGREEMENT TO PAY FOR CITY SERVICES**

**Complete and submit this form with the development application.**

In consideration for the City providing the services described in this Agreement, the undersigned agrees as follows:

1. The City services requested relate to development application number \_\_\_\_\_, property in the City of Lafayette located at \_\_\_\_\_, assessor's parcel number \_\_\_\_\_.
2. This Agreement is for services and fees that are in addition to the planning fees paid upon the filing of the referenced development application. I agree to pay for the additional charges imposed by the City for staff time spent processing the application based upon an hourly rate established by resolution of the City Council. These services include but are not limited to City staff time spent for engineering and other City administrative services regarding the application. In addition, I agree to pay for services of consultants retained by the City and required by it in connection with the development application at the hourly rate charged by each consultant to the City. These services include but are not limited to legal, landscaping, traffic engineering and environmental services and may also include the costs associated with such services such as mileage and photographic copies.
3. The City will bill for the services performed under this Agreement upon a monthly or other periodic basis. If at any time the balance due exceeds \$500.00, the City may cease processing the application, prepare a recommendation for taking action on the application and present the application to the appropriate hearing body for final action.
4. The development application account will remain open until it is paid in full. Final payment in full is due as follows:
  - a. In the case of a subdivision, upon release of the final improvement bond or when conditions of approval are satisfied, which ever is later in time;
  - b. In the case of all other applications, when the City authorizes Contra Costa County to issue final building inspection clearance or when work for which a permit is issued is completed;
  - c. If an application is denied, upon expiration of the appeal period or upon a final decision on appeal;
  - d. If an application is withdrawn, when all remaining staff work on the application is completed;
  - e. Upon the expiration of 12 consecutive months during which there was no activity on the application.
5. The undersigned is responsible for the payment of the costs and charges involved with the application even though the property or project is sold or assigned to another party. If the undersigned desires to transfer payment responsibility to another, it is the undersigned's responsibility to have this Agreement replaced by a new agreement with the responsible party. Any outstanding balance must be paid before the City will accept a replacement agreement.
6. The undersigned agrees to advise the City in writing of any change to their billing address and represents that (s)he is the party responsible for payment of the costs or any other obligations incurred under this Agreement.
7. The undersigned agrees to defend, indemnify and hold harmless the City, its agents, officers, officials, and employees from all claims, demands, lawsuits, writs of mandamus, and other actions or proceedings (collectively "Actions") brought against the City or its departments, commissions, agents, officers, officials, or employees to challenge, attack seek to modify, set aside, void or annul any City decision made in connection with this application or Agreement. In the event the City becomes aware of any such Actions, the City shall promptly notify the undersigned and shall cooperate fully in the defense. It is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the undersigned shall reimburse City for any attorney's fees, costs and expenses, including any plaintiff's or other third party's attorneys' fees, costs and expenses, directly and necessarily incurred by the City in the course of the defense.

PROPERTY OWNER NAME (Print): \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

PROPERTY OWNER SIGNATURE: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

DATE: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

NOTE: THIS DOCUMENT IS NOT TRANSFERABLE • ORIGINAL TO FINANCE •  COPY TO APPLICANT •  COPY TO APPLICATION FILE

APPLICATION NO. \_\_\_\_\_

FOR OFFICIAL USE ONLY

ACCOUNT NO. \_\_\_\_\_

# Agreement for City Services

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